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COMPENSATION COMMISSION
GOVERNING COUNCIL

MULTI-CATEGORY CLAIMS

Decision taken by the Governing Council of the United Nations Compensation Commission at its 46th meeting, held on 20 October 1994 in Geneva

In the course of processing the first instalments of claims in categories "A" and "C", the respective Panels of Commissioners observed that a number of claimants selecting a higher amount under category "A" (US$4,000 for individual claims or US$8,000 for family claims) had also filed in category "C". The instructions on the "A" form, however, specify that claimants selecting a higher amount "agree not to file claims under any other form or category".

In the light of these multi-category filings by certain claimants, the Panels of Commissioners for categories "A" and "C" in their reports and recommendations requested that the Governing Council make a determination as to whether or not compensation recommended by these Panels should be adjusted or otherwise dealt with.

Having received further background information from the secretariat on the circumstances appearing to give rise to multi-category filings in claim categories "A", "B", "C" and "D", noting that for a category "A" claimant to be eligible to file a claim in categories "B", "C" or "D," he or she must have selected a lower amount under category "A" (US$2,500 for individual claims or US$5,000 for family claims) and bearing in mind the application of Decision 17 [S/AC.26/Dec.17 (1994)], the Council has reached the following conclusions:

First, any claimant who has selected a higher amount under category "A" (US$4,000 or US$8,000) and has also filed a category "B", "C" or "D" claim will be deemed to have selected the corresponding lower amount under category "A";

Second, those successful individual claimants whose category "A" claims are being so adjusted will, pursuant to Decision 17, paragraph 2, receive an initial payment of US$2,500, but will not receive any additional payment under category "A" in the allocation stage of payments described in paragraph 6 of that Decision;

Third, those successful claimants whose category "A" family claims are being so adjusted will, pursuant to Decision 17, paragraph 2, receive an initial payment of US$2,500, but will receive only an additional payment under category "A" of US$2,500 in the allocation stage of payments described in paragraph 6 of that Decision;

Fourth, no later than at the beginning of the allocation stage of payments described in Decision 17, paragraph 6, the secretariat will inform governments as to which of its claimants are affected by this Decision.

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GOVERNING COUNCIL

Decision Concerning the First Instalment of Claims for Departure from Iraq or Kuwait (Category "A" Claims) taken by the Governing Council of the United Nations Compensation Commission at its 46th meeting, held on 20 October 1994 in Geneva

The Governing Council,

Having received, in accordance with article 37 of the Provisional Rules for Claims Procedure, the first report of the Panel of Commissioners appointed to review individual claims for departure from Iraq or Kuwait (category "A" claims), covering 53,845 individual claims[1],

1. Approves the recommendations made by the Panel of Commissioners, and, accordingly,

2. Decides, pursuant to Article 40 of the Rules and subject to paragraph 4 below, to approve the amounts of the recommended awards concerning the 53,845 claims covered in the annex to the report, as follows:

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[1] The text of the report is attached hereto (document S/AC.26/1994/2). In conformity with the provisions on confidentiality in the Rules (articles 30, paragraph 1, and 40, paragraph 5), a table containing the breakdown of the amounts to be paid to each individual claimant will not be made public, but will be provided to each respective Government and international organization separately.

Country	Number of Claims Recommended for Payment	Amount of Compensation Recommended (US $)
Australia	68	338,500.00
Austria	1	8,000.00
Bahrain	20	81,000.00
Bangladesh	4,551	17,746,000.00
Belgium	6	23,500.00
Bosnia and Herzegovina	100	408,000.00
Brazil	133	527,500.00
Cameroon	1	2,500.00
Canada	16	72,500.00
China	900	3,600,000.00
Croatia	206	840,500.00
Czech and Slovak F.R.[2]	96	413,000.00
Czech Republic	1	4,000.00
Denmark	16	50,500.00
Egypt	23,334	61,334,000.00
Estonia	4	24,000.00
Finland	9	41,500.00
France	228	997,500.00
Germany	66	271,500.00
Ghana	1	2,500.00
Greece	6	27,500.00
Hungary	63	294,500.00

[2] These claims were submitted before the Czech and Slovak Federal Republic ceased to exist. Awards of compensation are to be paid to the Governments of the Czech Republic and the Slovak Republic, respectively.

Country	Number of Claims Recommended for Payment	Amount of Compensation Recommended (US $)
Iceland	1	5,000.00
India	6,219	24,736,000.00
Iran	201	672,000.00
Ireland	99	359,500.00
Japan	48	216,000.00
Jordan	123	309,000.00
Kenya	15	55,000.00
Republic of Korea	170	435,000.00
Kuwait	3,482	17,348,500.00
The Former Yugoslav Rep. of Macedonia	74	296,000.00
Malta	3	13,000.00
Morocco	55	216,000.00
Nepal	74	298,500.00
Netherlands	125	497,000.00
New Zealand	14	61,000.00
Niger	3	15,000.00
Nigeria	5	25,000.00
Norway	4	18,000.00
Pakistan	3,027	12,226,000.00
Philippines	550	2,192,500.00
Poland	324	1,349,000.00
Romania	217	571,000.00
Russian Federation	649	2,876,000.00

Country	Number of Claims Recommended for Payment	Amount of Compensation Recommended (US $)
Seychelles	1	5,000.00
Singapore	4	23,500.00
Slovenia	161	526,000.00
Sri Lanka	6,385	25,117,000.00
Sudan	335	1,276,500.00
Sweden	49	196,000.00
Switzerland	6	31,500.00
Syria	138	576,000.00
Thailand	330	1,322,500.00
Turkey	108	433,000.00
Ukraine	123	508,000.00
UNDP (Jerusalem)	59	286,500.00
United Kingdom	240	819,000.00
United States	200	889,500.00
Vietnam	378	1,512,000.00
The Federal Republic of Yugoslavia (Serbia and Montenegro)	20	80,000.00
Total	53,845	185,500,500.00

3. Reaffirms that when funds become available payments shall be made in accordance with Decision 17 [S/AC.26/Dec.17 (1994)],

4. Notes that where claimants, awarded the higher amounts available under Category "A", are found also to have filed claims in other categories, their awards will be adjusted in accordance with the provisions of Decision 21 [S/AC.26/Dec.21 (1994)],

5. Recalls that, when payments are made in accordance with Decision 17 and pursuant to the terms of Decision 18 [S/AC.26/Dec.18 (1994)], Governments and appropriate authorities concerned shall distribute amounts received in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution,

6. Requests that the Executive Secretary provides copies of the report and the annex to the report to the Secretary-General, and copies of the report and the annex as well as the tables containing the breakdown of the amounts to be paid to each individual claimant to each respective Government and international organization, and reminds these Governments and international organizations of their obligation to take the appropriate measures to preserve the confidentiality of those tables.

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COMPENSATION COMMISSION
GOVERNING COUNCIL

Notification of the Governing Council's Intention Not to Accept Further Individual Claims After 1 January 1995

Decision taken by the Governing Council of the United Nations Compensation Commission at its 46th meeting, held on 20 October 1994 in Geneva

Hereafter, except as otherwise provided in Decision 12 (S/AC.26/1992/12), the Governing Council intends not to accept the filing of individual claims in categories "A", "B", "C" and "D" after 1 January 1995.

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UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

MULTI-CATEGORY DEPARTURE CLAIMS

Decision taken by the Governing Council of the United Nations Compensation Commission at its 48th meeting, held on 14 December 1994 in Geneva

In the course of processing the first instalments of claims in categories "A" and "C", the respective Panels of Commissioners observed that a number of claimants filing a claim in category "A" had also filed a departure claim in category "C".

The instructions on the respective claim forms, however, prohibit claimants who filed category "A" claims from claiming departure losses under any other category.

In the light of these multi-category departure claims filed by certain claimants, the Panels of Commissioners for categories "A" and "C" in their reports and recommendations requested that the Governing Council make a determination as to whether or not compensation recommended by these Panels should be adjusted or otherwise dealt with.

Having received further background information from the secretariat on the circumstances appearing to give rise to the filing of multi-category departure claims in categories "A", "C" and/or "D" and noting that a claimant may not claim simultaneously for departure losses under categories "A", "C" and/or "D", the Council has reached the following conclusions:

First, for any claimant who has filed an individual claim in category "A" and has also filed a claim for departure losses in category "C" and/or "D", such departure losses in categories "C" and/or "D" may be compensated only insofar as the amount of such losses is determined to exceed US$ 2,500.

Second, for any claimant who has filed a family claim in category "A" and has also filed a claim for departure losses in category "C" and/or "D", such departure losses in categories "C" and/or "D" may be compensated only insofar as the amount of such losses is determined to exceed US$ 5,000.

Third, upon the notification of each instalment of approved claims in categories "C" and/or "D", the secretariat will inform the governments as to which of its claimants, if any, are affected by this Decision.

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COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision Concerning the First Instalment of Individual Claims for Damages up to US$100,000 (Category "C" Claims) taken by the Governing Council of the United Nartions Commission at its 48th meeting, held on 14 December 1994 in Geneva

The Governing Council,

Having received, in accordance with article 37 of the Provisional Rules for Claims Procedure, the first report of the Panel of Commissioners appointed to review individual claims for damages up to US$ 100,000 (category "C" claims), covering 2,873 individual claims[1],

1. Approves the recommendations made by the Panel of Commissioners, and, accordingly,

2. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the 2,863 claims listed in annex III to the report. The aggregate amounts per country, as listed in annex II are as follows:

[1] The text of the report is attached hereto (document S/AC.26/1994/3). In conformity with the provisions on confidentiality in the Rules (articles 30, paragraph 1, and 40, paragraph 5), annex III, being a table containing the breakdown of the amounts to be paid to each individual claimant, annex IV, listing transferred claims, and annex V, listing eligible claims for which no compensation is recommended at this stage, will not be made public, but will be provided to each respective Government and international organization separately.

Country	Consolidated Claim Number	Recommended Amounts US$
Australia	AU/0027/01C	1,919,706
Bahrain	BH/0009/01C	172,991
	BH/0853/08C	41,900
	Total BH	214,891
Bolivia	BO/0020/01C	53,760
Brazil	BR/0041/01C	452,071
Denmark	DK/0022/01C	1,595,504
France	FR/0854/09C	28,365
Japan	JP/0855/04C	15,750
Jordan	JO/0856/03C	28,800
Kenya	KE/0034/01C	38,014
Kuwait	KW/0007/01C	9,375,688
	KW/0014/02C	1,745,762
	KW/0857/20C	266,428
	Total KW	11,387,878
Macedonia F.Y.R. of	MK/0596/01C	80,285
Malaysia	MY/0030/01C	57,131
Nepal	NP/0002/01C	27,977
	NP/0013/02C	3,985
	Total NP	31,963
Pakistan	PK/0024/01C	17,787,653

Country	Consolidated Claim Number	Recommended Amounts US$
Poland	PL/0028/01C	408,214
	PL/0049/02C	436,497
	PL/0858/10C	7,500
	Total PL	852,211
South Africa	ZA/0039/01C	95,677
United Kingdom	GB/0019/01C	5,089,079
	GB/0859/16C	240,058
	Total GB	5,329,138
United States	US/0006/01C	5,394,096
	US/0040/02C	5,029,506
	Total US	10,423,601
F.R.Y. (Serbia & Montenegro)	YU/0008/01C	661,219
Total		**51,053,616**

3. Reaffirms that when funds become available payments shall be made in accordance with Decision 17 [S/AC.26/Dec.17 (1994)],

4. Notes that where claimants have been found to have filed a "C1" claim in category "C" for damages arising from departure from Iraq or Kuwait and also to have filed a claim in category "A", their awards in category "C" have been adjusted in accordance with the provisions of Decision 24 [S/AC.26/Dec.24 (1994)],

5. Recalls that, when payments are made in accordance with Decision 17 and pursuant to the terms of Decision 18 [S/AC.26/Dec.18 (1994)], Governments and appropriate authorities concerned shall distribute amounts received in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution,

6. Notes the transfer by the Executive Secretary to category "E" of the claim listed in annex IV to the report,

7. Notes that no recommendation has been made at this stage for nine claims, listed in annex V to the report,

8. Requests that the Executive Secretary provide copies of the report and its annexes to the Secretary-General, and copies of the report and relevant annexes, including the part of annex III containing the breakdown of the amounts to be paid to each individual claimant, to each respective Government and international organization, and reminds these Governments and international organizations of their obligation to take the appropriate measures to preserve the confidentiality of the annexes to the report.

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COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision Concerning Part One of the Second Instalment of Claims for Serious Personal Injury or Death (Category "B" Claims) taken by the Governing Council of the United Nations Compensation Commission at its 48th meeting, held on 14 December 1994 in Geneva

The Governing Council,

Having received, in accordance with article 37 of the Provisional Rules for Claims Procedure, the report of the Panel of Commissioners appointed to review individual claims for serious personal injury or death, covering 2,349 individual recommendations,[1]

1. Approves the recommendations made by the Panel of Commissioners and accordingly;

2. Decides, pursuant to article 40 of the Rules, to approve:

(a) The amounts of the recommended awards concerning the 1751 claims listed in paragraph 48 of the report for part one of the second instalment, as follows:

[1] The text of the report is attached hereto [document S/AC.26/1994/4]. In conformity with the provisions on confidentiality in the Rules (articles 30, paragraph 1 and 40, paragraph 5) the annexes to the report will not be made public, but will be provided to each respective Government and international organization separately.

Second Instalment: Part One		
Country	**Consolidated Claim Submission**	**Total Amount Awarded (US$)**
Australia	AU/290/2B	$5,000.00
	AU/350/3B	$0.00
	AU/418/4B	$5,000.00
Bahrain	BH/268/4B	$0.00
Bangladesh	BD/182/1B	$262,500.00
	BD/320/2B	$15,000.00
	BD/451/3B	$10,000.00
Belgium	BE/289/1B	$10,000.00
Bulgaria	BG/419/1B	$5,000.00
Canada	CA/279/1B	$17,500.00
	CA/410/2B	$2,500.00
Egypt	EG/363/1B	$47,500.00
	EG/460/2B	$165,000.00
	EG/479/3B	$62,500.00
	EG/510/4B	$52,500.00
	EG/648/6B	$17,500.00
	EG/688/7B	$2,500.00
	EG/699/8B	$12,500.00
	EG/775/9B	$17,500.00
	EG/813/10B	$2,500.00
Finland	FI/263/1B	$0.00
France	FR/171/3B	$20,000.00
	FR/222/4B	$22,500.00
	FR/230/5B	$2,500.00
	FR/309/6B	$17,500.00
Germany	DE/232/1B	$2,500.00
	DE/262/2B	$0.00
	DE/385/3B	$2,500.00

Second Instalment: Part One		
Country	**Consolidated Claim Submission**	**Total Amount Awarded (US$)**
	DE/407/4B	$10,000.00
Greece	GR/403/1B	$0.00
India	IN/172/1B	$70,000.00
	IN/180/2B	$40,000.00
	IN/237/13B	$0.00
	IN/245/5B	$30,000.00
	IN/250/6B	$102,500.00
	IN/267/3B	$20,000.00
	IN/274/4B	$12,500.00
	IN/302/7B	$117,500.00
	IN/366/8B	$112,500.00
	IN/376/9B	$45,000.00
	IN/402/10B	$85,000.00
Ireland	IE/259/1B	$12,500.00
Italy	IT/253/1B	$7,500.00
	IT/318/2B	$5,000.00
	IT/406/3B	$17,500.00
Jordan	JO/301/2B	$202,500.00
Korea	KR/226/1B	$5,000.00
Kuwait	KW/191/4B	$1,182,500.00
	KW/273/5B	$405,000.00
	KW/368/6B	$55,000.00
	KW/430/7B	$427,500.00
	KW/546/8B/Part X	$980,000.00
Mauritius	MU/372/4B	$0.00
Morocco	MA/415/2B	$0.00
Netherlands	NL/243/1B	$0.00
	NL/384/2B	$0.00

Second Instalment: Part One		
Country	**Consolidated Claim Submission**	**Total Amount Awarded (US$)**
Pakistan	PK/174/2B	$40,000.00
	PK/317/3B	$92,500.00
Philippines	PH/332/1B	$2,500.00
Russian Federation	RU/169/1B	$2,500.00
Somalia	SO/304/1B	$32,500.00
Sri Lanka	LK/333/2B	$0.00
Sweden	SE/371/1B	$2,500.00
Uganda	UG/196/1B	$0.00
United Kingdom	GB/194/7B	$12,500.00
	GB/206/8B	$62,500.00
	GB/252/9B	$30.000.00
	GB/297/10B	$27,500.00
	GB/345/11B	$37,500.00
	GB/375/12B	$45,000.00
	GB/393/13B	$17,500.00
	GB/421/14B	$20,000.00
United States	US/217/4B	$7,500.00
	US/342/5B	$27,500.00
	US/429/6B	$55,000.00
UNDP Jerusalem	PP/338/1B	$10,000.00
UNDP Kuwait	PP/420/1B	$2,500.00
UNRWA Vienna	PP/322/2B	$12,500.00
Total		$5,265,000.00

(b) The amounts of the recommended awards in paragraph 53 of the report concerning three claims from the first instalment where further documentation had been requested by the Panel of Commissioners and for which the requested documentation has been submitted, as follows:

First Instalment		
Country	**Consolidated Claim Submission**	**Total Amount Awarded (US$)**
Iran	IR/00063/1B	$10,000.00
Pakistan	PK/00024/1B	$10,000.00
Thailand	TH/00095/1B	$10,000.00
Total		$30,000.00

3. Reaffirms that when funds become available payments shall be made;

4. Recalls that when payments are made in accordance with Decision 17 [S/AC.26/Dec.17/(1994)] and pursuant to the terms of Decision 18 [S/AC.26/Dec.18 (1994)], Governments and international organizations shall distribute amounts received in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution;

5. Decides that no compensation be awarded concerning the 337 claims referred to in paragraph 49 of the report;

6. Notes the transfer by the Executive Secretary of the 145 claims referred to in paragraph 50 of the report to the Panel of Commissioners appointed for category "C" claims;

7. Notes that no recommendations have been made at this stage for 20 claims referred to in paragraph 51 of the report;

8. Notes also that the Panel of Commissioners has requested Governments to provide further documentation in 93 claims referred to in paragraph 52 of the report;

9. Requests that the Executive Secretary provides copies of the report and the pertinent annexes to the report to the Secretary-General and to respective Governments and international organizations, and reminds these Governments and international organizations of their obligation to take the appropriate measures to preserve the confidentiality of the annexes.